

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of Financial and Insurance Services

In the matter of:

Joseph F. Mullins

Enforcement Case No. 06-3964

Respondent

*Issued and entered
on March 13, 2006
by Linda A. Watters
Commissioner*

CONSENT ORDER AND STIPULATION

A. Findings of fact and conclusions of law

1. At all pertinent times, Joseph F. Mullins (Respondent) was a licensed resident insurance producer, transacting business in the State of Michigan.
2. As a licensed resident producer, Respondent knew or had reason to know that Section 2018 of the Michigan Insurance Code, MCL 500.2018 (Code) prohibits as an unfair practice in the business of insurance making false statements relative to an application for insurance.
3. Respondent further knew or had reason to know that Code Section 1239(1)(h), MCL 500.1239(1)(h), provides that the Commissioner can place on probation, suspend, or revoke an insurance producer's license and/or levy a civil fine under Section 1244 of the Code, MCL 500.1244, for using dishonest practices.
4. During the period of January 2003 through January 2004, Respondent charged 129 consumers a \$20.00 service fee (total fees charged: \$2,580.00) to process insurance applications. Respondent subsequently ceased charging fees and has refunded the fees to the consumers at the direction of Office of Financial and Insurance Services' staff.
5. By charging the above fees, Respondent violated Sections 2018 and 1239(1)(h) of the Code.

B. ORDER

Based on the findings of fact and conclusions of law above and Respondent's stipulation, it is ORDERED that:

1. Respondents shall immediately cease and desist from operating in such a manner as to violate Sections 2018 and 1239(1)(h) of the Code.
2. Respondent shall pay to the State of Michigan, through the Office of Financial and Insurance Services, a civil fine in the amount of \$3,500.00. This fine shall be paid within 30 days of the date of entry of this order. Failure to timely pay the fine in full will result in automatic suspension of Respondent's license until such time as the fine is paid in full.


Linda A. Watters
Commissioner